

### REMARKS

Claims remaining in the present patent application are numbered 1-53. The rejections and comments of the Examiner set forth in the Office Action dated January 25, 2005 have been carefully considered by the Applicants. Applicants respectfully request the Examiner to consider and allow the remaining claims.

### Drawings

The drawings were objected to because they are unclear to read. Corrected drawings are required to avoid abandonment of the application. Applicants submit herewith formal drawings.

### §112 Rejection

The present Office Action rejected Claims 10 and 44-53 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the term "real-life" in Claim 10 is unclear within the context of the claim. Additionally, the term "authoring" in Claims 44-53 is unclear.

Applicants have amended Claim 10 to substitute the term, "realistic", for the objected term, "real-life". In addition, Applicants have amended Claims 44-53 to

substitute the term, "generating", for the objected term, "authoring". As such, Applicants respectfully contend that Claims 10 and 44-53 particularly point out and distinctly claim the subject matter and overcome the Examiner's objections.

### 35 U.S.C. §103 Rejection

The present Office Action rejected Claims 1-53 under 35 U.S.C. 103(a) as being unpatentable over Sato (U.S. Patent No. 6,539,498) in view of Schuster et al. (U.S. Patent No. 6,170,075). Applicants have reviewed the above cited references and respectfully submit that the present invention as recited in Claims 1-53, is neither anticipated nor rendered obvious by the Sato reference taken alone or in combination with the Schuster et al. reference.

### Independent Claims 1, 12, 22, 33, and 44

Regarding Independent Claims 1, 12, 22, 33, and 44, embodiments of the presently claimed invention disclose a method and system for a simulation authoring environment for creating a simulation application, as presently claimed. In particular, each of the independent Claims 1, 12, 22, 33, and 44 of the present invention recite, in part:

\* \* \*

monitoring communication between an end device and a real device during a communication sequence . . .; and  
generating a simulation application based on said communication associated with said communication sequence . . . (Emphasis Added)

The claimed embodiments of independent Claims 1, 12, 22, 33, and 44 pertain to methods and systems of creating a simulation application. More particularly, the present invention as claimed in independent Claims 1, 12, 22, 33, and 44 each recite that communication between an end device and a real device is monitored during a communication sequence. In addition, a simulation application is generated based on the communication that is monitored. That is, embodiments of independent Claims 1, 12, 22, 33, and 44 are directed to the generation of a simulation application that produces realistic outputs from the communication sequence.

Applicants respectfully note that the Sato reference taken alone or in combination with the Schuster et al. reference does not teach nor suggest the present invention as claimed in which a simulation application is generated based on the communication sequence that is monitored. In contrast, the Sato reference discloses a method of detecting a cause of a failure in a computer by executing all instructions of a test program, performing simulator testing of parts of the test program, and comparing results of the real-device testing with results of the simulator

testing so as to identify a portion of the test program that causes a failure. That is, the Sato reference employs the use of an pre-established and pre-generated simulator. Thus, Applicants respectfully submit that the Sato reference does not show, teach, or suggest the generation of the simulation application as recited in independent Claims 1, 12, 22, 33, and 44 of the present invention.

Further, Applicants respectfully submit that the Schuster et al. reference fails to overcome the shortcomings of the Sato reference. Specifically, Applicants respectfully submit that the Schuster et al. reference also fails to teach or suggest the present invention as claimed in which a simulation application is generated based on the communication sequence that is monitored. In contrast, the Schuster et al. reference discloses a method for improving the speed and quality of end-to-end data or real-time media transmissions over an internet. Specifically a media stream is channel coded at the edge of the internet to free upstream bit rate for use in source coding the media, and then decoded at the remote edge of the internet to recover lost packets. As disclosed in the Schuster et al. reference, communication is established between the local and remote network access servers so that the local network access server knows when to channel code an incoming signal and the remote network access server knows when to channel decode the signals.

Additionally, the communication can be monitored to determine how much packet loss is occurring. (See cols 11 and 12, lines 10-15 and 15-20 of the Schuster et al. reference).

However, at no point does the Schuster et al. reference disclose the generation of a simulation application based on the communication. That is, the Schuster et al. reference only discloses the establishing of communication so that the local and remote network access servers can proceed to channel code and decode the media stream if they wish. As such, Applicants respectfully submit that the Schuster reference does not show, teach, or suggest the generation of the simulation application as recited in independent Claims 1, 12, 22, 33, and 44 of the present invention.

Thus, Applicants respectfully submit that the Sato reference taken alone or in combination with the Schuster et al. reference does not show, teach, or suggest the method of the present invention as recited in Independent Claims 1, 12, 22, 33, and 44. Accordingly, Applicants respectfully submit that independent Claim 1 overcomes the cited reference, and as such Claims 2-11 which depend on independent Claim 1 are also in a condition for allowance as being dependent on an allowable base claim. Further, Applicants respectfully submit that independent Claim 12

overcomes the cited reference, and as such Claims 13-21 which depend on independent Claim 12 are also in a condition for allowance as being dependent on an allowable base claim. Also, Applicants respectfully submit that independent Claim 22 overcomes the cited reference, and as such Claims 23-32 which depend on independent Claim 22 are also in a condition for allowance as being dependent on an allowable base claim. In addition, Applicants respectfully submit that independent Claim 33 overcomes the cited reference, and as such Claims 34-43 which depend on independent Claim 33 are also in a condition for allowance as being dependent on an allowable base claim. Furthermore, Applicants respectfully submit that independent Claim 44 overcomes the cited reference, and as such Claims 45-53 which depend on independent Claim 44 are also in a condition for allowance as being dependent on an allowable base claim.

#### CONCLUSION

In light of the amendments and arguments presented herein, Applicants respectfully request reconsideration of the rejected Claims for allowance thereof.

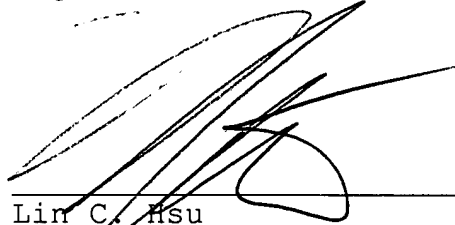
Based on the arguments presented above, Applicants respectfully assert that **Claims 1-30** overcome the

rejections of record. Therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

Wagner, Murabito & Hao LLP



Lin C. Hsu  
Reg. No.: 46,315  
Two North Market Street  
Third Floor  
San Jose, California 95113

Date: MAY 25, 2005